

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CA #:03 CV 12463 RGS

GREAT NORTHERN INSURANCE CO.
as subrogee of PHYLLIS MACNEIL
1000 Pillsbury Center
Minneapolis, MN 55402
Plaintiff

v.

INTERCITY ALARMS, INC.
20 North Main Street
Yarmouth, MA 02664
Defendant

**PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME TO FILE A
MOTION IN OPPOSITION TO DEFENDANT
INTERCITY ALARMS, INC.'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiff, Great Northern Insurance Company, as subrogee of Phyllis MacNeil, by and through its counsel, hereby requests this Court to grant an extension of time for Plaintiff to respond to Defendant Intercity Alarms, Inc.'s Motion for Partial Summary Judgment and, in support thereof, avers as follows:

1. On February 26, 2004, this Court conducted an Initial Scheduling Conference, wherein the parties submitted an agreed Joint Statement with a proposed Pre-Trial Schedule.
2. The Pre-Trial Schedule provided that dispositive motions were to be filed on or before November 30, 2004.
3. The November 30, 2004 deadline by which to file Dispositive Motions was confirmed by counsel for Plaintiff in a letter dated September 27, 2004 to Attorney Louison, counsel for Defendant, Intercity Alarms, Inc. [A copy of the letter is attached hereto as Exhibit "A"].

4. On or about December 20, 2004, Intercity Alarms, Inc. filed a Motion for Partial Summary Judgment, which was received by counsel for Plaintiff on December 21, 2004. [A copy of counsel's transmittal letter to Plaintiff is attached hereto as Exhibit "B"].

5. Notwithstanding the fact that Defendant's Motion for Partial Summary Judgment has been filed out of time and in violation of the Scheduling Order applicable to this matter, Plaintiff respectfully requests an extension in time within which to respond to Defendant's said Motion.

6. As the deadline within which to file a Motion in Opposition to Defendant's Motion for Partial Summary Judgment is now January 4, 2005, Plaintiff hereby requests to extend said deadline ten (10) days to January 14, 2005, because of Plaintiff counsel's holiday and vacation schedules.

For the reasons set forth above, Plaintiff respectfully requests this Court for an Order extending the time to January 14, 2005 in order to respond to Defendant Intercity Alarms, Inc.'s Motion for Partial Summary Judgment.

Respectfully submitted,

GIARRUSSO, NORTON, COOLEY
& McGLONE, P.C.

BY: s/ Christine K. Tramontana
Roy P. Giarrusso, Esquire (BBO #549470)
Christine K. Tramontana (BBO #644849)
Giarrusso, Norton, Cooley, & McGlone, P.C.
Marina Bay
308 Victory Road
Quincy, MA 02171
Telephone: (617) 770-2900

OF COUNSEL:

A. Richard Bailey, Esquire
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103

(215) 665-2040

CERTIFICATE OF SERVICE

I, CHRISTINE KELLEY TRAMONTANA, attorney for Plaintiff herein, certify that a true and correct copy of the foregoing Plaintiff's Motion for an Extensions of Time to File a Motion in Opposition to Defendant Intercity Alarms, Inc.'s Motion for Partial Summary Judgment to the following on the 23rd day of December, 2004:

Bradford N. Louison, Esquire
Merrick Louison & Costello, LLP
67 Batterymarch Street
Boston, MA 02110
COUNSEL FOR DEFENDANT, INTERCITY ALARM

BY: s/ Christine K. Tramontana
Christine K. Tramontana